

On February 21, 2017, Plaintiff filed the Complaint in this action, asserting a variety of claims against several defendants, including John Newsholme, Newsholme Financial Services,

and Tirondola, arising from an alleged Ponzi scheme. (ECF No. 1.) On April 20, 2017, the Newsholme Defendants filed their Motion to Dismiss. (ECF No. 16.) On April 21, Tirondola filed his Motion to Dismiss. (ECF No. 17.)

The Newsholme Defendants argue the Complaint is devoid of any specific allegations against either John Newsholme or Newsholme Financial Services. (*Id.* at 1.) Further, the Newsholme Defendants note John Newsholme died on August 2, 2016, and therefore the proper party would be the Estate of John Newsholme. Finally, the Newsholme Defendants argue Newsholme Financial Services was a distinct entity from Defendant Newsholme Financial Center, which is operated by John Newsholme's estranged brother, Defendant Scott Newsholme. (*Id.* at 2.) The Newsholme Defendants argue the claims against them should be dismissed, as all of the allegations in the Complaint concern Defendants Newsholme Financial Center and Scott Newsholme. (*Id.*)

On May 1, 2017, Plaintiffs filed their Amended Complaint, in which they do not assert any claims against the John Newsholme or the Estate of John Newsholme. (ECF No. 18.) On September 11, 2017, Newsholme Financial Services filed an Answer jointly with Defendants Scott Newsholme, Newsholme Financial Center, and MVP Financial LLC. (ECF No. 45.) As there are no claims pending against the Estate of John Newsholme, and as Newsholme Financial Services has filed an Answer, the Newsholme Defendants' Motion to Dismiss is moot and should be administratively terminated.

On June 23, 2017, Plaintiffs submitted a Stipulation of Dismissal without prejudice as against Tirondola (ECF No. 34), which the Court entered on June 26, 2017 (ECF No. 35). As Tirondola has been dismissed from the case, his Motion to Dismiss is moot and should be administratively terminated.

Accordingly,

**IT IS** on this 25th day of January 2018,

**ORDERED** that the Motions to Dismiss (ECF No. 16, 17) be **ADMINISTRATIVELY TERMINATED** as moot.

/s/ *Brian R. Martinotti*  
**HON. BRIAN R. MARTINOTTI**  
**UNITED STATES DISTRICT JUDGE**